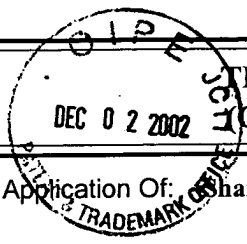


1711



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**DI-5596A**

In Re Application Of: **Shang, S., et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/917,136	July 27, 2001	J. Mullis	1711

Title: **AUTOCLAVABLE, NON-ADHERENT, HEAT SEALABLE POLYMER BLENDS FOR FABRICATING MONOLAYER AND MULTIPLE LAYERED FILMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

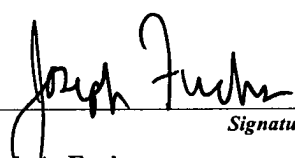
Transmitted herewith is:

**Petition for Extension of Time (duplicate); Response to Restriction Requirement (2 pgs.); check in the amount of \$110.00; and return receipt postcard.**

in the above identified application.


- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below. A duplicate copy of this sheet is enclosed.
  - ☐ Charge the amount of \_\_\_\_\_
  - ☒ Credit any overpayment.
  - ☒ Charge any additional fee required.

**RECEIVED**  
**DEC 06 2002**  
**TC 1700**

  
*Signature*

Dated: **November 27, 2002**

**Joseph A. Fuchs**  
**Reg. No. 34,604**  
**BELL, BOYD & LLOYD LLC**  
**P.O. Box 1135**  
**Chicago, IL 60690-1135**  
**Phone: 312/807-4335**

I certify that this document and fee is being deposited on 11-27-2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
	
<i>Signature of Person Mailing Correspondence</i>	
<b>Renee Street</b>	
<i>Typed or Printed Name of Person Mailing Correspondence</i>	

CC:

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
DI-5596A

In Re Application Of: Shang, S., et al.

DEC 02 2002

Serial No.  
09/917,136

Filing Date  
July 27, 2001

Examiner  
J. Mullis

Group Art Unit  
1711

Title: AUTOCLAVABLE, NON-ADHERENT, HEAT SEALABLE POLYMER BLENDS FOR FABRICATING MONOLAYER AND MULTIPLE LAYERED FILMS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition for Extension of Time (duplicate); Response to Restriction Requirement (2 pgs.); check in the amount of \$110.00; and return receipt postcard.

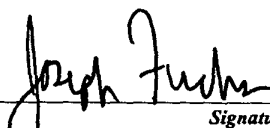
in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**RECEIVED**

DEC 06 2002

**TC 1700**



Signature

Dated: November 27, 2002

Joseph A. Fuchs  
Reg. No. 34,604  
BELL, BOYD & LLOYD LLC  
P.O. Box 1135  
Chicago, IL 60690-1135  
Phone: 312/807-4335

I certify that this document and fee is being deposited on 11-27-2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Shang, S., et al.  
Appl. No.: 09/917,136  
Filed: July 27, 2001  
Title: AUTOCLAVABLE, NON-ADHERENT, HEAT SEALABLE POLYMER  
BLENDS FOR FABRICATING MONOLAYER AND MULTIPLE LAYERED  
FILMS  
Art Unit: 1711  
Examiner: J. Mullis  
Docket No.: DI-5596A CIP (113963-015)

Assistant Commissioner for Patents  
Washington, DC 20231

**RECEIVED**

DEC 06 2002

**TC 1700**

*#91703me  
12-10-02*

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Please enter the following Response to Restriction Requirement in the above-identified patent application.

**REMARKS**

This reply is submitted in response to the Office Action mailed on September 27, 2002, with a shortened statutory response period of one (1) month from the mailing date. Applicants have filed concurrently herewith a Petition for a one-month Extension of Time bringing the time to file this Reply to November 27, 2002. Accordingly, this Reply is timely filed. A check in the amount of \$110 is enclosed herewith in payment of the associated fees. The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 02-1818.

Claims 1-144 are pending in this Application. The Examiner has entered an Election/Restriction requirement requiring Applicants to select for prosecution one of three groups of claims. The Examiner has also requested an election of species to elect a single first component, a single second component and a single article for initial prosecution on the merits. Applicants respectfully traverse the Election/Restriction requirements.

The Examiner has failed to make a prima facie case for requiring a Restriction. Pursuant to M.P.E.P. § 803, a restriction requirement is proper only if: (1) the inventions are independent

or distinct as claimed, and (2) there would be a serious burden on the Examiner if the restriction is not required. Applicants acknowledge the claims of each group are patentably distinct from one another, but contend that it would not be unduly burdensome for the Examiner if the restriction requirement were not required.

The Examiner further requests that Applicants restrict the invention to: (1) a single first component by electing either a homopolymer or specific copolymer of ethylene; (2) a single second component by electing either a homopolymer or copolymer of propylene, or a homopolymer or copolymer of 4-methylpentene. In addition, the Examiner requests that Applicants elect either tubing or monolayer or multilayered films. Applicants respectfully traverse this requirement as the Examiner has failed to provide an appropriate explanation of separate classifications, separate status in the art or a different field of search as required by M.P.E.P. § 803.

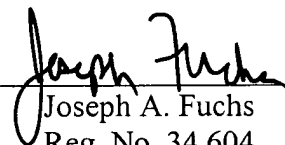
Notwithstanding these comments, Applicants elect to pursue the invention recited in Group II. Applicants further elect: (1) a first component of an ethylene  $\alpha$ -olefin copolymer; (2) a second component of a propylene copolymer; and (3) a monolayer film. Thus, claims 22-35 and 37-39 read on this election.

In view of the foregoing remarks, Applicants submit the claims are in condition for allowance and request an early notice of the same.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Joseph A. Fuchs

Reg. No. 34,604

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4335